



# Gwinnett County Board of Commissioners

Tuesday, December 15, 2009 - 7:00 PM

## Public Hearing - Minutes

### I. Call To Order, Invocation, Pledge to Flag

### II. Opening Remarks by Chairman

### III. Approval of Agenda

{Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

### IV. Approval of Minutes:

Executive Session: December 15, 2009

{Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

### V. Announcements

- **Resolution of Recognition:** Commending Gwinnett County High School Runners who Placed in the Top 10 at the 2009 State Cross Country Meet  
{Action: Approved Motion: Bannister Second: Kenerly Vote: 5-0}

### VI. Public Hearing – Old Business

#### 1. Planning & Development/Bryan Lackey

**2009-1194 CIC-09-021**, Applicant: Lawrenceville Retail Investors, LLC, Owner: Lawrenceville Retail Investors, LLC, to Change Conditions of Zoning (Adjust Grocery Store Hours of Operation) for property zoned C-2, District 7 Land Lot 048 Parcel 403, 1400 Block of Lawrenceville-Suwanee Road and the 1400 Block of Riverside Parkway, 10.38 acres, District 1/Lasseter[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Lasseter Second: Nasuti Vote: 5-0}

**2009-1196 SUP-09-058**, Applicant: Dhansukh Patel, Owner: Kavin Enterprises, LLC, for a Special Use Permit in a C-2 zoning district to allow a Hotel Height Increase from 3 to 5 Stories, District 6 Land Lot 204 Parcel 056, 3500 Block of Breckinridge Boulevard, 2.02 acres, District 1/Lasseter[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Lasseter Second: Nasuti Vote: 5-0}

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**VI. Public Hearing – Old Business**

**1. Planning & Development/Bryan Lackey**

**2009-0902 RZC-09-027**, Applicant: Tim Hill, Owner: Carpe Diem Investments, LLC., RA-200 to C-2, Commercial Retail Uses (Reduction in Buffers), District 1 Land Lot 004 Parcel 045, 3700 Block of Thompson Mill Road and the 3700 Block of Ridge Road, 1.16 Acres, District 4/Kenerly [Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Denied Motion: Kenerly Second: Beaudreau Vote: 5-0}

**2009-1190 RZC-09-035**, Applicant: Robert Bowman, Sr., Owner: Robert Bowman, Sr., RA-200 to O-I, Office Uses, District 1 Land Lot 001 Parcel 450, 3700 Block of Sardis Church Road and the 2700 Block of West Rock Quarry Road, 15.02 acres, District 4/Kenerly (Tabled on 12/15/2009) (Tabled to 02/23/2010)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 2/16/2010] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0}

**2009-1191 RZC-09-036**, Applicant: Technical Education Services, Inc., Owner: Whole Foods Market Group, Inc., C-2 to M-1, Vocational/Trade School, District 6 Land Lot 209 Parcels 025, 021, 4100 Block of Satellite Boulevard, 2000 Block of West Liddell Road and the 2500 Block of Satellite Pointe, 15.83 acres, District 1/Lasseter[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Change Motion: Lasseter Second: Nasuti Vote: 5-0}

**2009-1192 RZC-09-037**, Applicant: Marlyn Christiani, Owner: Marlyn Christiani, R-100 to O-I, Personal Care Home (Reduction In Buffers), District 6 Land Lot 072 Parcel 123, 1500 Block of Killian Hill Road, 2.09 acres, District 3/Beaudreau[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Denied Motion: Beaudreau Second: Kenerly Vote: 4-0-1 (Bannister Abstained)}

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**VI. Public Hearing – Old Business**

**1. Planning & Development/Bryan Lackey**

**2009-1193 SUP-09-059**, Applicant: Marlyn Christiani, Owner: Marlyn Christiani, for a Special Use Permit in an O-I zoning district to allow a Personal Care Home, District 6 Land Lot 072 Parcel 123, 1500 Block of Killian Hill Road, 2.09 acres, District 3/Beaudreau[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Denied Motion: Beaudreau Second: Kenerly Vote: 4-0-1 (Bannister Abstained)}

**VII. Public Hearing – New Business**

**1. Change in Conditions**

**2009-1284 CIC-2009-00022**, Applicant: Mahaffey Pickens Tucker, LLP, Owner: Old Peachtree Road Investments, LLC, to Change Conditions of zoning for property zoned R-ZT to Reduce Minimum Dwelling Size from 2,400 square feet to 1,400 square feet, District 7 Land Lot 149 Parcel 079, 500 Block of Old Peachtree Road, 8.25 acres, District 4/Kenerly (Tabled on 12/15/2009) (Tabled to 01/26/2010)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 1/19/2010] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0}

**2009-1285 CIC-2009-00023**, Applicant: Daryl R. Cook c/o Watts & Browning Engineers, Inc., Owner: Gdci Dai, LP By: Pacificland, LLC, to Change Conditions of zoning for property zoned R-75 CSO to Reduce the Clubhouse Size, District 7 Land Lot 099 Parcel 291, 3000 Block of Braselton Highway, 2300 Block of Allsborough Way, 3.26 acres, District 4/Kenerly (Tabled on 12/15/2009) (Tabled to 01/26/2010)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 1/5/2010] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0}

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**VII. Public Hearing – New Business**

**2. Special Use Permit**

**2009-1286 SUP-2009-00062**, Applicant: Menosh, Inc., Owner: Hanna Dawood, for a Special Use Permit in a C-2 zoning district to allow Truck Rental, District 7 Land Lot 094 Parcel 251, 1900 Block of Braselton Highway, 2.91 acres, District 4/Kenerly (**Tabled on 12/15/2009**) (**Tabled to 01/26/2010**)(**Public hearing was not held**)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 1/19/2010] {**Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0**}

**2009-1287 SUP-2009-00063**, Applicant: Mount Vernon Baptist Church, Owner: Mount Vernon Baptist Church, for a Special Use Permit in an R-100 zoning district to allow a Church Recreation Building/Area (Reduction In Buffers), District 5 Land Lot 237 Parcel 006, 400 Block of Rock House Road, 4.9 acres, District 4/Kenerly[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {**Action: Approved with Stipulations Motion: Kenerly Second: Beaudreau Vote: 5-0**}

**2009-1288 SUP-2009-00064**, Applicant: Vilma P. Long, Owner: Peter Gary E. Smith & Theresa S. Smith, for a Special Use Permit in an R-75 zoning district to allow a Home Occupation (Hair Salon), District 6 Land Lot 175a Parcel 071, 1400 Block of Dickens Road, 0.48 acres, District 1/Laseter[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {**Action: Approved with Stipulations Motion: Laseter Second: Nasuti Vote: 5-0**}

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**3. Rezoning**

**2009-1282 RZC-2009-00039**, Applicant: Nishi Sharma; Owner: Nishi Sharma, C-1 to C-2, Commercial Retail Uses, District 5 Land Lot 002 Parcel 012, 3700 Block of Lenora Church Road, the 2900 Block of Temple Johnson Road and the 2900 Block of Xavier Ray Court, 4.95 acres, District 3/Beaudreau[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions as C-1 with SUP] {Action: Approved with Stipulations as C-1 with SUP Motion: Beaudreau Second: Kenerly Vote: 5-0}

**2009-1283 RZC-2009-00040**, Applicant: Heating and Air, LLC, Owner: Hamilton State Bank, RA-200 to C-2, Contractors Office (Reduction In Buffers), District 3 Land Lot 004 Parcel 066, 4900 Block of Braselton Highway, 6.78 acres, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Change Motion: Kenerly Second: Beaudreau Vote: 5-0}

**2009-1281 RZM-2009-00002**, Applicant: Silver Springs Communities, Owner: Luv Homes - Joyce Ogletree, O-I and R-75 to RM-8, Attached Senior Housing (Reduction In Buffers), District 6 Land Lots 127 and 128 Parcels 063 and 267, 100-200 Block of Ronald Reagan Parkway and the 200 Block of Bethesda Church Road, 29.41 acres, District 4/Kenerly (Tabled on 12/15/2009) (Tabled to 01/26/2010)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 1/19/2010] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0}

**4. Planning & Development/Bryan Lackey**

**2009-1252 Approval**/request for the consideration of the Gwinnett County Urban Redevelopment Plan for the Gwinnett Village Opportunity Zone. {Action: Approved Motion: Nasuti Second: Lasseter Vote: 5-0}

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**VIII. New Business**

**1. Planning & Development/Bryan Lackey**

**2009-1253 Approval/authorization** of a resolution to adopt the Gwinnett County Urban Redevelopment Plan for the Gwinnett Village Opportunity Zone. {Action: Approved Motion: Nasuti Second: Lasseter Vote: 5-0

**IX. Comments from Audience**

**X. Adjournment**